IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 5593 of 2005

Between:

Convenor/General Secretary, Rep. by A.P. Health, Employees Association, V.V.L.N. Murthy S/o Late Subba Rao, age 56 years, Reg.No. 118/73, H.No. 16-11-20/61, Saleemnagar, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Prl. Secretary, Health, Medical and Family Welfare Department, Secretariat, Hyderabad-22.
2 The Secretary, General Administration Department, Government of Andhra Pradesh, Secretariat, Hyderabad-22.
3 The Director of Health, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.
4 The Regional Director of Medical and Health Services, Guntur.
5 A.P. Public Health & Medical Employees Union, Regd.No. 3194, rep. by its General Secretary,Y. Mohan Rao, Occ: M.P.H. Extension Officer, O/o The Joint Director (TSCP) and State T.B. Officer, Director of Health, Koti, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or writ more in the nature of Writ of Certiorari calling for the records relating to the O.A.No. 756/2005 dt. 10-3-2005 on the file of A.P. Administrative Tribunal and set aside the same and consequently direct the respondents 1 to 4 to give priority to the petitioner Association during the counselling for transfer and

promotions and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.B.RANGANADH RAO

Counsel for the Respondent No.5: J.R.MANOHAR RAO

Counsel for respondent Nos. 1,3 & 4: GP FOR MEDICAL HEALTH & FAMILY WELFARE

Counsel for respondent No.2:G.P. FOR GENERAL ADMINISTRATION

The Court made the following :

O R D E R: (PER GB.J.,)

1) This writ petition is filed by the A.P. Health Employees' Association assailing the order of the Andhra Pradesh Administrative Tribunal in O.A.No.756 of 2005, dated 10.03.2005.

2) The learned counsel for the petitioner submits that the representation dated 13.10.2003 made by the petitioner-Association, which was un-recognised by the respondent authorities, should also be taken into consideration while conducting counselling for promotion and posting. It is also submitted that eventhough the matter was disposed of by the Government to consider the matter in accordance with the memo issued by the Government dated 06.08.1973 wherein the Government has clearly stated that the representation of the petitioner-Association also should be considered, their case was not considered and no heed is being paid to them. Therefore, they seek appropriate directions.

3) Heard the learned counsel for the respondents also.

4) Inasmuch as the Government issued directions in Memo dated 13.10.2003, 06.08.1973 and 28.10.2003 to take into consideration the representations of the un-recognised petitioner-Association also while conducting counseling with regard to the promotion and posting, the writ petition is disposed of directing the respondent-authorities to consider the representation of the petitioner-Association by implementing the order of the Government with regard to the promotion and posting. No costs.

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G.BIKSHAPATHY.J.,

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P.S.NARAYANA.J.,

Dt.21.03.2005

tjs

To

1) Principal Secretary, Health, Medical and Family Welfare Department, Government of A.P., Secretariat, Hyderabad-22.
2 The Secretary, General Administration Department, Government of Andhra Pradesh, Secretariat, Hyderabad-22.
3 The Director of Health, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.
4 The Regional Director of Medical and Health Services, Guntur.
5 General Secretary, Y.Mohan Rao, A.P. Public Health & Medical Employees Union, Regd.No. 3194, Occ: M.P.H. Extension Officer, O/o The Joint Director (TSCP) and State T.B. Officer, Director of Health, Koti, Hyderabad.

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

W.P.M.P.NO.10257 OF 2005

IN

WRIT PETITION NO : 5593 of 2005

(ON BEING MENTIONED)

Between:

A.P. Public Health & Medical Employees Union, Regd.No. 3194, rep. by its General Secretary,Y. Mohan Rao, Occ: M.P.H. Extension Officer, O/o The Joint Director (TSCP) and State T.B. Officer, Director of Health, Koti, Hyderabad.

.....PETITIONER/RESPONDENT NO.5

AND

1. Convenor/General Secretary, represented by A.P. Health Employees Association, V.V.L.N.Murthy, (Regd.No.118/73) Saleemnagar, Hyderabad.

RESPONDENT/WRIT PETITIONER

2) Government of A.P., represented by its Principal Secretary, Health, Medical & Family Welfare Department, Secretariat, Hyderabad.
3) The Secretary, General Administration Department, Government of Andhra Pradesh, Secretariat, Hyderabad-22.
4) The Director of Health, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.
5) The Regional Director of Medical and Health Services, Guntur.

.....RESPONDENTS/RESPONDENTS.

This petition is filed under Section 151 C.P.C., seeking to clarify the order, dated 21.03.2005 in W.P.No.5593 of 2005.

The petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing Sri J.R.Manohar Rao, learned counsel for the petitioner, Sri B.Ranganadh Rao, learned counsel for the 1st respondent, learned G.P. for Medical, Health & Family Welfare for respondent Nos.2, 4 & 5 and the learned Government Pleader for General Administration for respondent No.3, the Court made the following:

O R D E R: (PER GB.J)

1) We do not find any ground to clarify the situation.

2) Accordingly, the petition is dismissed.

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G.BIKSHAPATHY.J.,

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P.S.NARAYANA.J.,

Dt.30.03.2005

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NOTE:

Office to communicate copy of this

order and also the order, dated 21.03.2005

by tomorrow.

B/o

Tjs/ssr

To

1) Principal Secretary, Health, Medical & Family Welfare Department, Government of A.P., Secretariat, Hyderabad.
2) The Secretary, General Administration Department, Government of Andhra Pradesh, Secretariat, Hyderabad-22.
3) The Director of Health, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.
4) The Regional Director of Medical and Health Services, Guntur.
5) 2 ccs to the G.P. for Medical, Health & Family Welfare

6)2 ccs to the G.P. for General Administration.

7)2 C.D.Copies.

8) Convenor/General Secretary, represented by A.P.Health Employes Association, Saleemnagar, Hyderabad.